

PATENT 450108-4519.3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Tetsujiro KONDO

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 10, 2004.

William S. Frommer, Reg. No. 25,506

Name of Applicant, Assignee or Registered Representative

Signature
November 10, 2004

Date of Signature

## PETITION REQUESTING CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 197 (d)

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is a petition under 37 C.F.R. § 1.97 (d) requesting consideration of the Information Disclosure Statement filed herewith after receipt of the Notice of Allowance, mailed October 18, 2004.

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This Information Disclosure Statement lists prior art that has come to the attention of applicant by being cited in an Office Action issued in the corresponding European application on September 16, 2004, and a copy of which is enclosed.

As is apparent from said Office Action, applicant's undersigned attorney hereby certifies pursuant to 37 C.F.R. 1.97 (e) that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

This petition is accompanied by the petition fee of \$130.00 set forth in 37 C.F.R. § 1.17 (i).

In view of the above, applicant requests that this petition be granted and that the accompanying Information Disclosure Statement be considered.

Please charge any fees incurred by the filing of this document or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP Attorneys for Applicant

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